

**MENOMINEE TRIBAL LEGISLATURE – REGULAR
FEBRUARY 17, 2011
MENOMINEE TRIBAL OFFICE BOARD ROOM
KESHENA, WI 54135
5:00 P.M.**

MEMBERS PRESENT:

Randal Chevalier, Tribal Chairman
Myrna R. Warrington
Rebecca A. Alegria - *(Late in at 5:04 P.M.)*
Craig A. Corn
Lisa S. Waukau - *(Late in at 6:32 P.M.)*
Bruce J. Pecore - *(Late in at 5:04 P.M.)*
Orman D. Waukau Jr.
David A. Miller
Laurie A. Boivin

1. Call to Order – Roll Call.

Chairman Chevalier called the meeting to order at 5:00 P.M. Roll Call was taken with a quorum present.

2. Menominee Prayer.

Chairman Chevalier said the Menominee Prayer in the Menominee and English Language.

3. Proclamation for the Housing Maintenance Staff.

Chairman Chevalier read a Proclamation into the record for the Housing Maintenance Staff that the Menominee Tribal Legislature acknowledges the employees of the Housing Maintenance Department who acted in a caring, concerned manner during a recent power outage; and for their thoughtful attention towards our disabled and elderly tribal members.

Housing Maintenance Rehab Manager, Melodie Page thanked everyone involved with the Proclamation for her staff who are comprised of Kevin Schlichting; Richard Sechrist; Kenneth “Romy” Johnson Sr.; Macksie “Max” Chevalier; David “Scare” Kitson; Michael Chevalier; Jerry Pocan; Monty “Dugan” Beauprey Sr.; Brian Tepiew Sr.; Larry Chapman; Waldon “Wally” Peters; Virgil “Merd” Chevalier Sr.; Adrian Schlichting; and Charles “JR” Helsinger and also congratulated her staff for a job well done. She stated that she couldn’t ask for a much better hardworking staff, and she was happy to stand in front of the Tribal Legislature and acknowledge them, and pledged to continue doing the best that they can for our fellow tribal members.

Housing Director, Betty Jo Wozniak stated it was an honor to observe her staff change and grow during her tenure as Housing Director. She also stated that given all the criticism that Housing faces on a daily basis, her staff went above and beyond their daily duties and helped our community in a time of need, and they are worth more than all the criticism that her staff receives. She stated they are worth more praise than they received from the Legislature as well, and she thanked them for a job well done.

Legislator Alegria congratulated all of them, and stated that how they became aware of this was that community members from Neopit, and Middle Village informed them that Housing personnel went above and beyond their daily working duties during the storm.

MOTION BY REBECCA ALEGRIA TO APPROVE THE PROCLAMATION (HOUSING MAINTENANCE STAFF) AND AUTHORIZE CHAIRMAN RANDAL CHEVALIER TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

4. Public Comment Period.

Lia Olson – Violation of the Menominee Constitution and ByLaws for the record: She questioned the Tribal Constitution and ByLaws and the validity of Chairman Randal Chevalier’s residency status.

PLEASE NOTE: a complete record of Ms. Olson’s public comment for the record is located in the Chairman’s Office.

Chairman Chevalier thanked Lia Olson for her comments, and also stated for the record: "I am currently a resident on the Menominee Indian Reservation, and I do reside here on this reservation okay. Thank you very much."

Edwin Wilber Sr – Hunting & Fishing: He requested the Legislature to take into consideration before they pass the Hunting and Fishing Regulations for the Conservation Commission that our children that are descendants, and are not on the rolls, are part Indian! Because of this new rule, we can't be grandparents or even parents to our children, and as far as he is concerned he wishes the Legislature would have left well enough alone!

Chairman Chevalier thanked Edwin Wilber Sr. for his comments.

Audrey O'Kimosh – Public Hearing on Monday/Felons: She stated that the Courts, the Election Commission, and the Tribal Legislature have failed the Menominee people by allowing a convicted felon to be seated around the Legislative table. She asked the Legislature to uphold their "Oaths of Office," and do something about this, and also recognized Legislator Bruce Pecore for upholding the Tribal Constitution.

Legislator Corn commented regarding this statement that he made his mistakes, and has paid his debts back to society for his crimes. He stated that 765 people voted for him and he isn't going to let them down.

5. Menominee Language and Culture Commission Recommendation of February 8, 2011 – Approval of One Year Provisional Teacher Certifications.

MOTION BY DAVID MILLER THAT WE APPROVE JENNIFER GAUTHIER AND BEN GRIGNON FOR A ONE YEAR PROVISIONAL TEACHER CERTIFICATIONS. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

6. MTL Going Green Proposal.

The Tribal Legislature is attempting to be more environmentally safe to the environment, and so they were presented with two (2) proposals for implementation.

The first proposal was a "Zero Client" which is the greenest technology available today for personal computing using only five watts of power per device. The disadvantage is that it would require additional network hardware and new cabling to be installed for each desktop. The second proposal was an "All-in-One Computer" where the entire computer is housed inside the LCD monitor. The only external devices beyond the monitor are the keyboard and mouse, which are also wireless. The advantage is that it is capable of wireless networking, and is capable of playing videos. The only disadvantage to proposal 2 from proposal 1 is that it is not as "green" of a solution compared to Zero Clients.

The Executive Secretary, Debra Bowman demonstrated an agenda set up like a webpage for the Legislator's to click on the hyperlink which would then display all of their information.

Legislator's asked if the meeting information would be available sooner than it is now, and what information would be made available to the community. Legislator's also requested to have access to their meeting materials on the Tribal website and that it be password protected for Legislative access only; and read-only access for tribal members to review before the meetings so they are allowed ample time to have their questions ready.

The Legislature requested to have a demonstration for the next Legislative meeting.

MOTION BY MYRNA WARRINGTON TO GO WITH POSITION 2 (MTL GOING GREEN PROPOSAL), BUT THAT IT BE WITH A FLASH/JUMP DRIVE THAT IT ALSO BE ENCRYPTED AT A CERTAIN POINT, AND THAT IT BE DONE AS SOON AS POSSIBLE. (9 ALL-IN-ONE COMPUTERS TOTALING \$6,642 FROM

CHAIRMAN'S BUDGET) SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

MOTION BY BRUCE PECORE THAT WE PUT ON THE TRIBAL WEBSITE AND MAKE AVAILABLE TO THE PUBLIC THE MTL MEETING AGENDA AS MUCH PERTINENT INFORMATION THAT WE CAN LEGALLY PROVIDE THEM ON THE WEBSITE, AND MAKE IT AVAILABLE AS SOON AS POSSIBLE PRIOR TO THE MTL MEETING, AND ALSO COMMITTEE AND COMMISSION PACKET MEETING INFORMATION AS WELL. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

7. Rescind Motion Dated September 4, 2004 – Land Leases within the First Five Items on the Agenda.

MOTION BY LAURIE BOIVIN THAT WE RESCIND THE MOTION DATED SEPTEMBER 2, 2004 HAVING THE LAND LEASES WITHIN THE FIRST FIVE (5) ITEMS OF THE AGENDA TO ALLOW GREATER FLEXIBILITY IN SETTING THE AGENDA. SECOND WAS MADE BY CRAIG CORN.

Interim Community Development Director, Betty Jo Wozniak requested the Legislature to reconsider this motion, because land leases go very fast, and never generate a lot of discussion.

THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

8. Bid Recommendation for Housing Flooring Services for 34 Homes.

MOTION BY REBECCA ALEGRIA TO APPROVE THE BID RECOMMENDATION FROM THE BID EVALUATION TEAM TO AWARD THE HOUSING FLOORING SERVICES FOR 34 HOMES PROJECT TO H. J. MARTIN & SONS AT \$104,645 AS BID INCLUDING THE ATTACHED WORK PLAN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

9. Access to the Zoar Community Center and Donation Request.

Chairman Chevalier stated that questions were raised regarding the Zoar Fire Station, and having a grand opening in conjunction with the Zoar Community meeting in the facility in March.

Administrator Manager, Jeremy Weso stated the budget was transferred from the Chairman's Office to Youth Development & Outreach (YDO) Department to care for the facility and to pay the monthly bills; in addition, the facility is open to any programming activities offered by the Tribe. The facility can be used for community meetings, committee meetings, and other activities of the community, just need to contact the YDO Director prior to making arrangements. In addition, the Tribe can provide funding for those activities since the facility is a public facility owned by the Tribe. YDO is planning activities to commence by February 22nd, and they are planning a grand opening for the first part of March. YDO is seeking monetary donations for the grand opening of the facility.

Legislator Bruce Pecore volunteered to donate a \$500 personal check towards the grand opening of the Zoar Fire Station. The Zoar Community Meeting will be held on March 8th at the new facility where a new schedule of events for the building will be announced.

Legislator's discussed changing up the times for the other Community Meetings so that all Legislators' are able to attend the Zoar Fire Station Grand Opening.

Chairman Chevalier stated that he would see how the Chairman's Office could accommodate their requests.

10. Special Olympics of Wisconsin Donation Request.

This was a new donation request sent to the Tribe, and because there are not any Tribal members participating in the Special Olympics the Legislature opted not to honor their request.

11. Native American Rights Fund Donation Request.

MOTION BY LAURIE BOIVIN THAT WE DONATE \$2,500 OUT OF CONTINGENCY FOR NARF (NATIVE AMERICAN RIGHTS FUND). SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (L. WAUKAU).

12. Guidance on Implementation of Vote.

The Legislature discussed how to implement the “NO VOTE” for privileges granted to clergyman, descendants, and spouses of enrolled members taking steps in regards to issues.

Issue No. 1 read as follows: *“When should the Tribe begin enforcement of the “NO” vote?”*

The Conservation Code authorizes descendants, spouses of Tribal members and resident Clergy (collectively referred to as “permittees”) to hunt and fish subject to a permitting process. There are 312 permittees (of which 280 have paid permits and 32 which are exempt because they are 65 years of age or older) that are exercising hunting and fishing privileges. If citations are immediately issued to permittees, it is unclear how the Court will rule on those citations given the conflict between the law and the outcome of the recent vote. It’s possible such citations could inundate the legal system and result in wasted enforcement actions if those citations are dismissed.

There were two (2) positions to choose from: Position 1) The “NO” vote should be immediately enforced by Law Enforcement and Conservation officials without any guidance to them, without any opportunity for the greater public to become aware of the effect of the “NO” vote, and regardless of any potential conflicts between established law and regulation and the “NO” vote. Position 2) The “NO” vote should be enforced only after any potential conflicts in current laws and regulations are eliminated, the greater public is given notice of the effect of the “NO” vote (e.g. publication in Menominee Nation News, Tribe’s website, etc.), and guidance is given to Law Enforcement and Conservation officials on how to best implement the “NO” vote.

Action Taken to Date: *“On January 20, 2011 Lynnette Miller made a motion that enforcement on the hunting, fishing, gathering, and trapping issue be status quo until the Legislature comes back with a plan for implementation. Second was made by Bruce Pecore. The motion carried: 6 for, and 2 absent (ALEGRIA & CHEVALIER).”*

PLEASE NOTE: *Legislator Lisa Waukau entered the meeting at 6:32 p.m.*

Issue No. 2 read as follows: *“How can the Legislature best address conflicts in current tribal law and regulations providing hunting and fishing privileges to descendants, spouses of tribal members and resident clergy?”*

As stated in Issue No. 1, the Conservation Code authorizes descendants, spouses of Tribal members and resident Clergy (collectively referred to as “Permittees”) to hunt and fish subject to a permitting process. There are 312 permittees (of which 280 have paid permits and 32 which are exempt because they are 65 years of age or older) that are exercising hunting and fishing privileges. It is not known how many permittees are aware of the effect of the “NO” vote on their privileges. If citations are immediately issued to permittees, it is unclear how the Court will rule on those citations given the conflict between the law and the outcome of the recent vote. It’s possible such citations could inundate the legal system and result in wasted enforcement actions if those citations are dismissed.

There were two (2) positions to choose from: Position 1) The Legislature could take the position that no amendments to any laws or regulations are necessary and that the effect of the “NO” vote automatically invalidates those laws or regulations. Position 2) The Legislature could take the position that it is cleaner to amend current laws and regulations so as eliminate any possible conflicts that might result through enforcement actions (e.g. contested citations, Court dismissed citations, etc.)

No Action Taken.

Issue No. 3 read as follows: *“Can Descendants, Spouses, of Tribal members, Resident Clergy and Non-Indians continue to (a) travel upon Tribal lands, (b) reside on Tribal lands, (c) attend schools on Tribal lands and participate in school activities, and (d) work for the Tribe on Tribal lands?”*

Article XI, Sec. 2 of the Menominee Constitution contains the following general prohibition on the “use” of Tribal land: “Except as otherwise specified in this section persons who are not members of the Menominee Indian Tribe shall not be permitted to use Tribal land for any purpose,” emphasis added. This question of what the word “use” means has long been asked but never definitively defined, except as provided for in the Menominee Constitution for land use assignments.

There were two (2) positions to choose from: Position 1) The Legislature can adopt a strict interpretation of Article XI, Sec. 2 of the Menominee Constitution. Position 2) The Legislature can continue to apply a more liberal interpretation of Article XI, Sec. 2 of the Menominee Constitution.

No Action Taken.

Issue No. 4 read as follows: *“What must the Conservation Commission do to implement the “NO” vote?”*

The Conservation Commission and the Legislature have adopted regulations respecting descendant, spouses of Tribal members, and resident Clergy hunting and fishing privileges pursuant to and in accordance with the Conservation Code (Menominee Tribal Ordinance No. 99-01). Those regulations have not yet been rescinded or amended since the Menominee people voted “NO” on the constitutional question. Current rules allow descendants, spouses of Tribal members, and resident Clergy to enjoy certain bag limits, season limits, and methods of hunting and fishing. These “current” regulations conflict with the outcome of the recent election and could compromise enforcement efforts.

There were three (3) positions to choose from: Position 1) The Legislature could take the position that the Conservation Commission does not need to amend its regulations because the “NO” vote automatically invalidates those regulations. Position 2) The Conservation Commission needs to amend its regulations, send its amended regulations to public hearing, and then the Legislature needs to adopt those revised regulations. Position 3) The Conservation Code can be amended to eliminate any conflicts between the “NO” vote of the Menominee people, and that same amendment can eliminate any conflicts in current Conservation Commission regulations as well.

No Action Taken at this time.

Issue No. 5 read as follows: *“Does the Tribe need to define who a Descendant is?”*

Members of the Tribe have periodically asked what the definition of a descendant is. According to Menominee Tribal Ordinance No. 09-18, entitled “Descendant Register of the Menominee Indian Tribe of Wisconsin,” a descendant is defined as “an individual who lacks sufficient blood quantum to qualify for inclusion on the official tribal roll, and who is a 1st or 2nd degree descendant of an enrolled Menominee Tribal member” (Ord. 09-18, Sec. 2). This ordinance does not define, restrict or limit what descendants can or cannot do on the Menominee Indian Reservation.

The Tribe has already defined who a Descendant is with the Legislature's passage of Menominee Tribal Ordinance No. 09-18.

No Action Taken at this time.

Issue No. 6 read as follows: *"Should the Tribe reimburse Descendants, Spouses, of Tribal members and resident Clergy for permits they have obtained?"*

There are 312 permittees (of which 280 have paid permits and 32 which are exempt because they are 65 years of age or older) that are exercising hunting and fishing privileges. A few descendants, spouses of Tribal members and resident Clergy have asked for reimbursement of their permit fees following the Menominee People's "NO" vote on Ordinance No. 10-29.

There were two (2) positions to choose from: 1) Do not provide descendants, spouses of Tribal members and resident Clergy a refund. 2) Issue pro-rated refunds to descendants, spouses of Tribal members and resident clergy.

MOTION BY MYRNA WARRINGTON THAT THE CHAIRMAN GO WITH POSITION NUMBER 2 FOR ISSUE NUMBER 6 TO COME OUT OF CONTINGENCY. (PRO-RATED REFUNDS TO DESCENDANTS, SPOUSES OF TRIBAL MEMBERS AND RESIDENT CLERGY REQUESTING REFUNDS. THE LEGISLATURE MAY ALSO HAVE TO APPROPRIATE SUPPLEMENTAL FUNDING TO PROVIDE FOR THE REFUNDS CURRENTLY ESTIMATED AT ABOUT \$3,700). SECOND WAS MADE BY BRUCE PECORE.

Legislator's stated to set this issue as a "New Goals and Objective" to monitor for the New Year. It was also suggested to add a "FREE EDITION OF MNN" with all information included once the implementation is complete.

THE MOTION CARRIED: 7 FOR, 1 OPPOSED (ALEGRIA), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria qualified her opposition as follows: *"this card has already been utilized by some of these people and so they got use out of this card already."*

Issue No. 7 read as follows: *"What privileges do relinquished member retain?"*

According to the Enrollment Ordinance (Menominee Tribal Ordinance No. 79-15, Sec. 18.01), any person who relinquished membership in the Tribe forfeits all rights and benefits they are entitled to by virtue of membership in the Tribe. According to the Constitution and ByLaws, Article II, Sec. 2, "any member of the Menominee Indian Tribe who applies to be and is accepted as a member of another Indian Tribe shall there by automatically forfeit membership in the Menominee Indian Tribe and all rights and benefits to which Tribal members are entitle by virtue of their membership.

The only position is to uphold the Constitution and Ordinance, and publicize the ordinance and Constitutional requirement or a summary of the ordinance and Constitutional requirement.

No action taken at this time.

Issue No. 8 read as follows: *"Will Menominee Tribal Members have an opportunity to discuss or debate the actions of the Legislature with respect to actions it takes to implement the "NO" vote on proposed Ordinance No. 10-29?"*

Some Tribal members have expressed concern over whether they will be allowed to voice their concerns on any actions the Legislature might take to implement the "NO" vote on the proposed Ordinance No. 10-29.

The only position is to allow Tribal members to voice their concerns about actions of the Legislature at any regular, special, or emergency meeting of the Legislature.

No action taken at this time.

Issue No. 9 read as follows: *“How will the Legislature communicate with the Public about enforcement and changes to the Laws and Regulations?”*

Members of the Tribe have asked how information about enforcement and changes to laws and regulations will be communicated to the public. Currently, all meeting notices are posted throughout the community and placed on the Tribe’s website. As minutes of the Legislature are approved, they are also published in the Menominee Nation News.

There were two (2) positions to choose from: Position 1) Ordinance No. 80-6 (Posting Ordinance) and publication of minutes in the Menominee Nation News provides sufficient notice to the public. Position 2) In addition to posting and publication of minutes in the Menominee Nation News, the Tribe may additionally: a) develop and circulate FAQ’s; b) publish specific articles in the Menominee Nation News; c) Send directed mailings; and/or d) post on the Tribe’s website.

MOTION BY MYRNA WARRINGTON TO GO WITH POSITION NUMBER 2 WITH ISSUE NUMBER 9 WITH THE ADDITION OF DOING A SPECIAL FREE EDITION OF THE MENOMINEE NATION NEWSPAPER “MNN” FOR THE PEOPLE ON THE “NO” VOTE. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

13. **Menominee Conservation Commission Recommendation of February 7, 2011 – Approval of 2010-2012 Hunting, Trapping, and Fishing Regulations, and the 2010-2012 Fishing Regulations.**

MOTION BY BRUCE PECORE TO CONCUR WITH THE MENOMINEE CONSERVATION COMMISSION RECOMMENDATION OF FEBRUARY 7, 2011 TO APPROVE THE 2010-2012 HUNTING, TRAPPING AND FISHING REGULATIONS, AND THE 2010-2012 FISHING REGULATIONS (WITH THE AMENDED CHANGE TO FISHING REGULATIONS ON PAGE 8 STRIKING OUT: “PERMITTEES MAY NOT ICE FISH ON ANY WATER DESIGNATED AS TROUT WATER OTHER THAN DURING THE TROUT SEASON SPECIFIED HEREIN”) AND MAKE IT COINCIDE WITH AMENDMENT OF 99-01 FINAL APPROVAL ALONG WITH THE LEGAL OPINION SAYING IT’S CONSTITUTIONAL.

Please Note: There was no second made so the motion died.

MOTION BY DAVID MILLER TO I MOVE TO CONCUR WITH THE MENOMINEE CONSERVATION COMMISSION RECOMMENDATION OF FEBRUARY 7, 2011 TO APPROVE THE 2010-2012 HUNTING, TRAPPING AND FISHING REGULATIONS, AND THE 2010-2012 FISHING REGULATIONS (WITH THE AMENDED CHANGE TO FISHING REGULATIONS ON PAGE 8 STRIKING OUT: “PERMITTEES MAY NOT ICE FISH ON ANY WATER DESIGNATED AS TROUT WATER OTHER THAN DURING THE TROUT SEASON SPECIFIED HEREIN”) AND COINCIDE WITH FINAL APPROVAL TO THE AMENDMENT TO 99-01. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 1 OPPOSED (PECORE), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Pecore qualified his opposition as follows: *“I just want to make sure it constitutional prior to voting on this.”*

MOTION BY LISA WAUKAU THAT WE GO INTO EXECUTIVE SESSION AND THAT WE GO BACK TO THE REGULAR AGENDA ON MONDAY, FEBRUARY 21, 2011 AT 5:00 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 2 OPPOSED (BOIVIN & MILLER), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Miller qualified his opposition as follows: *"because I do have a conflicting meeting that day."*

Legislator Boivin qualified her opposition as follows: *"I'm opposed, because I'm conflicted as well."*

14. Management Team Reports.

This agenda item is recessed until Monday, February 21, 2011.

15. Travel Authorization Requests.

This agenda item is recessed until Monday, February 21, 2011.

16. Other Business: Matters of an Immediate Nature That Cannot Wait Until the Next Meeting.

This agenda item is recessed until Monday, February 21, 2011.

17. Resolution No. 11-__ Authorized Signatories for Official Documents Required to Carry-Out the Daily Business of the Menominee Indian Tribe of Wisconsin.

This agenda item is recessed until Monday, February 21, 2011.

18. Resolution No. 11-__ Enrollment Approval (April 1, 2010 – June 30, 2010).

This agenda item is recessed until Monday, February 21, 2011.

19. Resolution No. 11-__ Descendant Register (April 1, 2010 – June 30, 2010).

This agenda item is recessed until Monday, February 21, 2011.

20. Resolution No. 11-__ Enrollment Approval (July 1, 2010 – September 30, 2010).

This agenda item is recessed until Monday, February 21, 2011.

21. Resolution No. 11-__ Descendant Register (July 1, 2010 – September 30, 2010).

This agenda item is recessed until Monday, February 21, 2011.

22. Resolution No. 11-__ Enrollment Approval (October 1, 2010 – December 31, 2010).

This agenda item is recessed until Monday, February 21, 2011.

23. Resolution No. 11-__ Descendant Register (October 1, 2010 – December 31, 2010).

This agenda item is recessed until Monday, February 21, 2011.

24. Resolution No. 11-__ Membership to National Indian Gaming Association.

This agenda item is recessed until Monday, February 21, 2011.

25. Resolution No. 11-__ Tribal Government NCAI Membership.

This agenda item is recessed until Monday, February 21, 2011.

26. Resolution No. 11-__ Membership Inter-Tribal Timber Council.

This agenda item is recessed until Monday, February 21, 2011.

27. 10-Day Waiver Request(s).

This agenda item is recessed until Monday, February 21, 2011.

28. 1ST Consideration of Amendment to Ordinance No. 80-30 – Canceling Residential Lease Request.

This agenda item is recessed until Monday, February 21, 2011.

29. 1ST Consideration of Amendment to Ordinance No. 83-05 Comprehensive Land Use & Natural Resource Plan.

This agenda item is recessed until Monday, February 21, 2011.

30. 1ST Consideration of Repeal of Tribal Ordinance No. 06-29 Communications Protocol.

This agenda item is recessed until Monday, February 21, 2011.

31. 1ST Consideration of Amendment to Ordinance No. 10-20 – Fiscal Year 2011 Tribal Budget.

This agenda item is recessed until Monday, February 21, 2011.

32. 1ST Consideration of Ordinance No. 11-01 – Residential Lease Request.

This agenda item is recessed until Monday, February 21, 2011.

33. 1ST Consideration of Ordinance No. 11-02 – Recreational Lease Requests.

This agenda item is recessed until Monday, February 21, 2011.

34. 1ST Consideration of Ordinance No. 11-03 – Menominee Tribal Housing Limited Partnership # 7.

This agenda item is recessed until Monday, February 21, 2011.

35. 1ST Consideration of Ordinance No. 11-04 – Menominee Tribal Housing Limited Partnership # 8.

This agenda item is recessed until Monday, February 21, 2011.

36. Final Approval of Ordinance No. 10-36 Menominee Nation Cemetery Ordinance.

This agenda item is recessed until Monday, February 21, 2011.

37. *As per LRP 5.03 – EXECUTIVE SESSION:* (A) Legal – 1) Menominee Nation News Cash Receipts & Accounts Receivable Audit Report; 2) Approval of Attorney Contract; 3) Approval of Menominee Casino Resort Contract – GLITC Meeting; 4) Grocery Store Project/MIEDA Board Updates; & 5) MTE – BIA MATTER; (B) Personnel & (C) Gaming – 1) Kenosha Project Update; & 2) MIGA Board Updates.

MOTION BY LISA WAUKAU THAT WE GO INTO EXECUTIVE SESSION AND THAT WE GO BACK TO THE REGULAR AGENDA ON MONDAY, FEBRUARY 21, 2011 AT 5:00 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 2 OPPOSED (BOIVIN & MILLER), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Miller qualified his opposition as follows: *“because I do have a conflicting meeting that day.”*

Legislator Boivin qualified her opposition as follows: *“I’m opposed, because I’m conflicted as well.”*

*****EXECUTIVE SESSION WAS NOT RECORDED*****

MOTION BY BRUCE PECORE TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

(A) Legal

1) Menominee Nation News Cash Receipts & Accounts Receivable Audit Report;

MOTION BY LAURIE BOIVIN THAT WE ACCEPT THE INTERNAL AUDIT ACCOUNTS RECEIVABLE REPORT ON MENOMINEE NATION NEWS. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) Approval of Attorney Contract;

There was no motion made after coming out of Executive Session.

3) Approval of Menominee Casino Resort Contract – GLITC Meeting;

MOTION BY REBECCA ALEGRIA TO AUTHORIZE CHAIRMAN CHEVALIER TO SIGN AND DATE THE GLITC CONTRACT. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

4) Grocery Store Project/MIEDA Board Updates; &

There was no motion made after coming out of Executive Session.

5) MTE – BIA MATTER;

PROPRIETARY MOTION MADE BY DAVID. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

(B) Personnel &

There was no motion made after coming out of Executive Session.

(C) Gaming

1) Kenosha Project Update; &

MOTION BY LAURIE BOIVIN TO AUTHORIZE JOHN WILHELMI TO SEND THE LETTER TO THE CITY AND COUNTY REGARDING THE EXTENSION TO THE INTERGOVERNMENTAL AGREEMENT. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) MIGA Board Updates.

There was no motion made after coming out of Executive Session.

MOTION BY LISA WAUKAU TO GO BEYOND THE 10:00 P.M. RULE. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

38. Resolution No. 11-___ Approval of Attorney Contract (McElroy, Meyer, Walker, and Condon, P.C.)

There was no motion made after coming out of Executive Session.

39. Adjournment.

MOTION BY LAURIE BOIVIN TO RECESS UNTIL FEBRUARY 21, 2011 AT 4:30 P.M. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Meeting recessed at 11:25 P.M.

Respectfully submitted by;



Debra A. Bowman, Recorder/Transcriber

EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE